IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS GALVESTON DIVISION

CHERYL M. BARLOW, as next friend of \$DAVID MONCEBAIZ, \$Plaintiff, \$V. \$CIVIL ACTION NO. G-04-557

JOHN WARREN OWENS, II, ROBERT \$MCCURLEY, and the CITY OF GALVESTON, \$Defendants. \$

FINAL JUDGMENT

As set forth in the Order Granting Defendants' Motion for Summary Judgment, issued this day, such Motion is hereby **GRANTED**. Any and all claims herein asserted are hereby **DISMISSED WITH PREJUDICE**, except that Plaintiff's § 1983 claims against Defendant City of Galveston are **DISMISSED WITHOUT PREJUDICE**, as set forth in the Court's Order of March 4, 2005. All Parties are to bear their own costs, attorney's fees, and expenses incurred herein to date. **THIS IS A FINAL JUDGMENT**.

IT IS SO ORDERED.

DONE this 22nd day of July, 2005, at Galveston, Texas.

Samuel B. Kent United States District Judge